**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.206 OF 2005**
**IN**
**WRIT PETITION NO.2397 OF 2000**

R. Khandwani & Ors. ..Petitioners.

Versus

Municipal Corporation of
Greater Mumbai & Ors. ..Respondents.

Mr.Vineet Naik with Mr.P. P. Surve for the Petitioners.
Ms. Priti Purandare, A. G. P. for the Respondents.

**CORAM: DALVEER BHANDARI, C.J. &**
**S.J. VAZIFDAR, J.**
**DATE : 8TH JULY, 2005**

**P.C.**

We have heard the learned Counsel for the parties. The controversy involved in the entire Writ Petition is rather narrow. Therefore, by consent of the parties, we dispose of the Petition.

2. Kiran Kumar M. Desai, the Municipal Commissioner has

filed affidavit on behalf of the first Respondent i.e. Municipal Corporation of Greater Mumbai, in which it is mentioned that possession of the land admeasuring 60' x 35' was taken over by these Respondents on 18.12.1975. However, in lieu of the said land, the Petitioners were offered alternative accommodation at Mithi river site but the Petitioners have requested for accommodation on three sites 1) opposite Palm Grove Hotel 2) Opposite Mughal Mahal Hotel (near Centaur Hotel) 3) near Municipal Chowky, Opposite Mithibai College. It is also incorporated in the affidavit that as per the current policy of these Respondents for offering alternate accommodation to project affected persons the Petitioner can be considered for the claims raised in the present Petition. A fresh application is submitted by the Petitioner alongwith the relevant documents and the same will be considered by the Corporation on merits and in accordance with law.

3. The learned Counsel appearing for the Petitioners submits that after the affidavit dated 2nd May, 2005 the Petitioners have filed a fresh application alongwith the documents. The learned Counsel appearing for the Corporation submits that the application of the Petitioners shall be considered in accordance with law as

expeditiously as possible and, in any event, within six weeks from today.

4. In view of the statement made by the learned Counsel for the Corporation, no further directions are necessary in this Petition. The Petition is accordingly disposed of.

**CHIEF JUSTICE**

**S.J. VAZIFDAR, J.**